

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JENNIFER HARRIS,

Plaintiff,

v.

FEDEX CORPORATION,

Defendant.

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CIVIL ACTION NO. 4:21-cv-1651

**STIPULATED ORDER ISSUING A STAY OF EXECUTION WITHOUT THE NEED
FOR A SUPERSEDEAS BOND**

Issuing Stay Of Execution Without The Need For A Supersedeas Bond Pursuant to the discussion held during the Court's February 7, 2023 Status Conference, the parties have met and conferred regarding the need for a supersedeas bond pursuant to Fed. R. Civ. P. Rule 62, while the Court's February 2, 2023 Final Judgement (Docket No. 127) is on appeal, currently pending before the United States Court of Appeals for the Fifth Circuit (Court of Appeals No. 23-20035). The Court previously issued a Stay of Execution (Docket No. 134) so the Parties could have time to determine the appropriateness of a bond. The Parties have engaged in the contemplated negotiations.

Once Defendant's appeal is decided and the mandate (judgment, opinion, and direction as to costs) is issued, the Parties agree that Plaintiff has adequate security to obtain satisfaction of any Judgment without the need of any bond for the duration of Defendant's appeal.

The Parties, therefore, stipulate to the entry of the following Order Issuing A Stay Of Execution Without the Need For A Supersedeas Bond.

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SO STIPULATED:

/s/ Brian Sanford
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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with Brian Sanford, counsel for Plaintiff, regarding this Stipulated Order Issuing Stay Of Execution Without The Need For A Supersedeas Bond and Plaintiff does not oppose the entry of this Stipulated Order. I also certify that Plaintiff's counsel (Brian Sanford) has given me permission to affix his "s/" signature to this filing.

/s/ Barak J. Babcock

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CIVIL ACTION NO. 4:21-cv-1651

**ORDER ISSUING STAY OF EXECUTION WITHOUT THE NEED FOR A
SUPERSEDEAS BOND**

The Court held a Status Conference telephonically on February 7, 2023 and discussed staying execution of the judgment entered in this matter on February 2, 2023. The parties have stipulated to the entry of an Order staying execution pending appeal without the need for a supersedeas bond.

It is therefore, **ORDERED** that the Stay of Execution that was entered on February 9, 2023 (Docket No. 134) is hereby extended during the pendency of Defendant's appeal of the Final Judgment entered on February 2, 2023 (Docket No. 127). Pursuant to Rule 62, the Court hereby **STAYS** execution of the judgment and any proceedings to enforce the judgment.

It is **FURTHER ORDERED** that once the appellate court issues the mandate (judgment, opinion, and directions as to costs), this stay of execution will remain in effect for 28 days to provide time for Defendant to satisfy the Judgement (if any), and any new or modified judgment issued by this Court pursuant to rulings from an appellate court shall be stayed for 28 days for the same purpose.

IT IS SO ORDERED.

Ordered this _____ day of February, 2023.

The Honorable Kenneth M. Hoyt
United States District Judge